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ANACORTES

SHORELINE MANAGEMENT MASTER PROGRAM (Draft)

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CITY OF ANACORTES, WASHINGTON
98221

December 19, 1975



Mayor & City Council
City of Anacortes
Anacortes, Washington

Re: Shoreline Management Master Program

Gentlemen:

At your request the Shoreline Management Committee concluded the complex task of developing a master program for the shoreline of Anacortes along the guidelines established by the State of Washington legislature and the Washington State Department of Ecology.

The sub-committees of industry, commercial and recreation performed well, generating research, reports, plans and much constructive debate. The Committee as a whole felt the environmental issue was the responsibility of everyone therefore, no sub-committee was appointed, but the entire Shoreline Management Committee assumed the task.

It is with appreciation of all those who participated in the program that I transmit the final draft of the Anacortes Shoreline Management Master Program for City Council approval.

Respectfully submitted,

Bettye Bryant
Chairwoman
Shoreline Management Committee

Industrial Sub-Committee

Recreation Sub-Committee

Dick Hoover

Business Sub-Committee

Conservation Sub-Committee

JP:cm

ANACORTES SHORLINE MANAGEMENT
MASTER PROGRAM

JANUARY 1976

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Jim Rice
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Bob Coen	Dick Sands	

CITY STAFF

Charles Davenport	City Manager
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Gerald Presler	Director of Community Development

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Environmental Analysis Consultants
Bellingham Washington

This report was financially aided through a grant from the Washington State Department of Ecology with funds obtained from the United States Department of Commerce and appropriated for Section 305 of the Coastal Zone Management Act of 1972.

INTRODUCTION

This Draft of the Anacortes Shoreline Management Master Program is based upon State of Washington, Department of Ecology, "Final Guidelines Shoreline Management Act of 1971," and input from the Citizen's Advisory Committee and subcommittees and several public meetings held in September through November, 1975. (See Appendix D, Citizen Involvement)

SHORELINE MANAGEMENT MASTER PROGRAM FORMAT

The first task of the Shoreline Citizen's Committee was development of goals and objectives for Shoreline Elements as outlined in the guidelines. These elements are:

1. Shoreline Use Element
2. Economic Development Element
3. Public Access Element
4. Transportation Element
5. Recreation Element
6. Conservation Element
7. Historical/Cultural Element

After development of these goals and objectives, the committee began discussion of shoreline area designations. The State Guidelines suggest four general categories of shoreline area designations; Urban, Rural, Conservancy, and Natural. Using these designations as a base, and considering particular characteristics of the Anacortes shoreline, a five category shoreline area designation system was developed. These categories are:

1. Urban I
2. Urban II
3. Urban Residential
4. Conservancy
5. Natural

A Rural designation was not included since no shoreline area in Anacortes conformed to guideline definitions for that designation, and no future use for a Rural category was foreseen by the committee. Those areas of Anacortes which are highly urbanized or have potential for urbanization were considered as requiring one of the three 'Urban' designations. The relatively undeveloped areas were considered for Conservancy designation, and those areas where no development has occurred were considered for Natural designation. After defining these shoreline categories, reviewing the shoreline inventory, considering the goals and objectives, and receiving input from the citizenry, both on an individual basis and at public meetings, the committee proceeded to assign appropriate designations to the various shoreline areas.

Concurrently, policies and regulations for shoreline uses were developed to meet the goals and objectives and provide a management basis for each of the shoreline areas.

Within each area, uses and activities must conform to the policies and regulations for that particular designation. Regulations vary with each category. (Activities and uses allowed in an Urban I Area may be prohibited in an Urban Residential Area; restrictions on development in a Conservancy Area are more stringent than in an Urban Residential Area.)

To implement the Anacortes Shoreline Management Master Program, procedures have been developed to administer the regulations and handle permit applications. The Citizen's Committee has recommended that the City Environmental Officer process the applications and provide technical advice and recommendations to the Planning Commission who will be responsible for policy decisions.

This Master Program applies to those shoreline areas extending landward 200 feet from the ordinary high water mark of all marine waters and associated wetlands, and Cranberry Lake. Regulations within this Master Program do not extend beyond the 200 foot limit unless they are incorporated into the City Zoning Ordinance.

It is the purpose of this Master Program to implement the policy and provisions of the Shoreline Management Act of 1971 and the goals and policies established herein by regulating development of the shorelines of the City in order to preserve, enhance and increase views of the water and access to the water, encourage water dependent uses, and provide for highest possible public use and enjoyment of the shorelines.

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CITY OF ANACORTES SHORELINE GOALS AND OBJECTIVES

I. SHORELINE USE ELEMENT

GOAL: Shorelines are to be managed and activities coordinated in order to preserve long term multiple benefits of the various shoreline resources.

Objective: Identify and designate those shoreline areas suited for particular long term uses, including conservancy, recreational, residential, commercial, and industrial.

Objective: Avoid shoreline uses which would pre-empt future use of shoreline resources or substantially obstruct adjacent uses.

GOAL: Achieve uses and development which increase and preserve public physical and visual shoreline access.

Objective: Develop existing public view and access easements, and pursue additional public and private access opportunities.

GOAL: Plan for and achieve those uses which permit all reasonable and appropriate uses through a system of priorities.

Objective: Establish review procedure which permits reasonable and appropriate uses through system of priorities.

Use preferences have the following priorities:

- First - water dependent uses.
- Second - water related uses which provide public access.
- Third - water related uses which do not provide public access.
- Fourth - non-water related uses.

II. ECONOMIC DEVELOPMENT ELEMENT

GOAL: Provide opportunity for development of water dependent, commercial and industrial uses at appropriate locations.

Objective: Assure that adequate deep water sites will be available for uses requiring such sites.

GOAL: Establish multiple-use commercial and industrial sites for compatible activities.

Objective: Provide services and utilities to serve multiple use sites, and encourage public access in commercial areas.

GOAL: Encourage water oriented recreational/commercial development.

Objective: Maintain and improve existing water quality to make waters attractive to recreation users, and where appropriate, encourage uses complementary and compatible to recreational development.

III. PUBLIC ACCESS ELEMENT

GOAL: Increase public physical and visual access to shorelines.

Objective: Provide design for public access to shoreline in City park and recreation plans.

Objective: Increase opportunities for public view sites and identify publicly owned access areas through appropriate signing.

Objective: Use street ends abutting shorelines for public access and view easements, and develop lateral access along the waterfront connecting access points.

Objective: Provide incentives for public access opportunities in private developments.

GOAL: Increase uses and activities which attract public to shorelines.

Objective: Encourage development of facilities (restaurants, shops, markets) which attract the public to appropriate shoreline areas.

IV. TRANSPORTATION ELEMENT

GOAL: Develop transportation networks and facilities which will have minimal disruption and interference with public and private use of the shoreline.

Objective: Motorized land transportation routes should be located as far as reasonably possible from the water's edge.

Objective: When possible, improve existing transportation facilities to enhance economic, recreational, and visual benefits to the public.

Objective: Assure that shore located activities provide sufficient parking in areas which avoid possible adverse impacts to water quality or shoreline views.

Objective: Encourage landscaping of transportation facilities.

V. RECREATION ELEMENT

GOAL: Maintain existing shoreline which is available for recreational use and increase amount of shoreline available for active and passive public use, while enhancing shore dependent recreation opportunities.

Objective: Develop priorities for acquisition of public recreation and access sites in shoreline areas, particularly those providing lineal access, and acquire sites through purchase or easements.

Objective: Encourage development of private recreational facilities.

Objective: Do not allow public recreation sites to exceed their capacity to sustain the recreation experience sought by visitors.

Objective: Do not allow conflicting recreational uses to decrease a site's primary recreational value.

VI. CONSERVATION ELEMENT

GOAL: Preserve, protect, and restore shoreline areas needed for support of aquatic and terrestrial wildlife, and those areas of biological or geological significance.

Objective: Identify unique and sensitive shoreline areas.

Objective: Develop and apply appropriate conservation practices in public shoreline areas.

Objective: Develop design and performance standards which will minimize detrimental impacts of development upon the shoreline.

Objective: Encourage continuous study and monitoring of waters and shoreline habitats to be cognizant of existing conditions and future alterations.

VII. HISTORICAL/CULTURAL ELEMENT

GOAL: Preserve, protect, and restore shoreline areas identified as having historical or cultural significance.

Objective: Encourage public and private groups to research and study areas of historical or cultural significance.

Objective: Areas of historical or cultural significance should be considered in park and recreation planning.

SECTION 1: Title

City of Anacortes Shoreline Management Master Program.

SECTION 2: Authority

This program is adopted pursuant to RCW 90.58. The Shoreline Management Act of 1971.

SECTION 3: Scope

The regulations of this Master Program shall apply to all shorelines within the corporate limits of the City of Anacortes.

SECTION 4: Purpose

It is the policy of the State of Washington as expressed in the Shoreline Management Act of 1971 and the City of Anacortes to provide for the management of the shorelines of the State by planning for and fostering all reasonable and appropriate uses, particularly uses directly dependent upon the water; to preserve to the greatest extent feasible consistent with the over-all interest of the State, the City, and the people generally, the public's opportunity to enjoy the physical and aesthetic qualities of the shorelines of the City by preserving views and increasing public access to the shorelines; and to manage the shorelines of the City to minimize, insofar as practical, damage to the shoreline area.

SECTION 5: Definitions

As used in this Master Program, unless the context otherwise requires, the definitions found in Appendix C shall apply.

SECTION 6: No development shall be undertaken on the shorelines of the City except those that are consistent with the policy of the Shoreline Management Act of 1971 and the goals, policies and regulations of the City of Anacortes.

SECTION 7: No substantial development shall be undertaken in the Shoreline Areas without first obtaining a substantial development permit from the City in accordance with procedures in Section 11. No such permit shall be required where the Environmental Officer determines that a development proposed in the Shoreline Area is not a "substantial development" as defined in Section 5, Definitions.

SECTION 8: Applicants for substantial development permits shall have the burden of proving that a proposed substantial development is consistent with the criteria which must be met before a permit is granted. If required, an environmental impact statement or declaration of non-significance will be filed in conformance with City Environmental Policy Act procedures.

SECTION 9: Time Limit

Construction or substantial progress toward construction of a project for which a permit has been granted must be undertaken within two years after approval of such a permit by the City or the permit shall terminate. If such progress has not been made, a new permit is required.

SECTION 10: Statement of Exemption

Applicants for developments within the Shoreline Area which do not require a substantial development permit, shall obtain a "Statement of Exemption" from the City Environmental Officer prior to commencement of such a development.

SECTION 11: Permit Procedure

- a) Upon determination that a substantial development permit is required, the applicant shall obtain a Shoreline Management Substantial Development Permit Application Form from the Environmental Officer.
- b) Upon receipt of the application, the Environmental Officer shall instruct the applicant to publish notices of the application once a week for two consecutive weeks in a newspaper of general circulation in the City of Anacortes. In addition, the Environmental Officer shall post at least four copies of the notice prominently on the subject property or in conspicuous public places within 300 feet thereof. Within thirty days of the final publication of notice, any interested person may submit his views upon the application, in writing, to the Environmental Officer. All persons submitting views or requesting notice shall be entitled to receive a copy of the action taken on the application.
- c) As a part of the substantial development permit review process, the Planning Commission may, at their discretion, provide for a public hearing on the application, particularly when:

- i) the proposed development has broad public interest.
- ii) the proposed development will require a shoreline conditional use or a variance from the provisions of this Master Program.

(A hearing shall not be more than 15 days after the initial 30 day review period.)

- d) Not more than 5 working days after the 30 day review period, or following a hearing, if necessary, the Environmental Officer shall recommend approval or denial of the permit to the Planning Commission who shall approve or deny the permit at their next meeting. If the Planning Commission does not act on the permit the decision of the Environmental Officer shall stand.
- e) Within eight days following approval of the permit, the application shall be forwarded to the Department of Ecology and State Attorney General's Office for State 45 day review period.
- f) At termination of the State's forty-five day review period, unless an appeal has been filed, the Environmental Officer shall notify the applicant that construction pursuant to the permit may commence.

SECTION 12: Rescission

Any substantial development permit may be rescinded by the Planning Commission upon finding that the permittee has not complied with conditions of the permit.

SECTION 13: Modifications

All work done pursuant to a substantial development permit shall be consistent with the approved plans. A substantial development permit may be modified by the Environmental Officer if it is determined that such modification does not substantially change the uses or increase the bulk proposed, or otherwise increase the impact of the development upon the shoreline.

SECTION 14: Shoreline Conditional Uses

Uses which are designated in this Master Plan as shoreline conditional uses, and other uses may be authorized by the Planning Commission after public hearing, and upon approval of the Department of Ecology, if it is found that:

- a) the use will not have significant adverse effect upon the environment or other adjacent or nearby uses, or that such adverse effects can be mitigated, or that the benefits to the community of permitting such use outweigh the adverse effects;
- b) the use will not interfere with public use of public shorelines;
- c) design and appearance of the development will be compatible with the design and appearance of surrounding uses;
- d) the use will not be contrary to the general intent of the Shoreline Master Program of the City of Anacortes.
- e) the burden of proof that the above conditions exist shall be on the applicant.
- f) in authorizing a shoreline conditional use, the Planning Commission may impose conditions and requirements in addition to those expressly set forth in this Master Program.

SECTION 15: Shoreline Variances

- a) in some instances the regulations of the Master Program may cause an undue hardship unnecessary to fulfill the spirit and intent of the Master Program. Relief from the regulations of the Master Program for such cases may be granted through a variance. The applicant must demonstrate that compliance with regulations of the Master Program would preclude any reasonable use of the property.
- b) an applicant for a Substantial Development Permit who wishes to request a variance shall submit the variance application and the permit application simultaneously.
- c) requests for variances shall be considered by the Planning Commission at a public hearing.
- d) prior to granting of a variance, the Planning Commission must find that all the following conditions exist:

- i) the hardship which serves as basis for granting of a variance is specifically to the property to be used by the applicant.
- ii) the hardship results from application of requirements of the Master Program and not from, for example, deed restrictions or the applicants own action.
- iii) the Variance granted will be in harmony with the purpose and intent of the Shoreline Area Designation and the Master Program.
- iv) the public welfare and interest will be preserved.
- e) any variance granted by the City must be forwarded to the Department of Ecology for approval or disapproval.

SECTION 16: Appeals From Granting, Denying or Rescinding a Permit

- a) Any person aggrieved by the granting, or denying of a permit on the shorelines of the City may seek review from the shorelines hearings board by filing a request for the same within thirty days of receipt of the final order. Concurrently with the filing of any request for review with the hearings board as provided in this section pertaining to a final order of the City of Anacortes, the requestor shall file a copy of his request with the Department of Ecology and the Attorney General's Office. If it appears to said department or the Attorney General that the requestor has valid reasons to seek review, either the department or the Attorney General may certify the request within thirty days after its receipt to the shorelines hearings board following which said board shall then, but not otherwise, review the matter covered by the requestor: Provided, that the failure to obtain such certification shall not preclude the requestor from obtaining review in the superior court under any right to review otherwise available to the requestor. The Department of Ecology and the Attorney General may intervene to protect the public interest and insure that the provisions of the Shoreline Management Act are complied with at any time within forty-five days from the date of the filing of said copies by the requestor.
- b) The Department of Ecology or the Attorney General may obtain review of any final order granting a permit, or granting or denying an application for a permit issued by the City of Anacortes by filing

a written request with the Shorelines Appeals Board and the City of Anacortes within forty-five days from the date the final order was filed as provided in subsection (5) of RCW 90.58.140.

- c) The review proceedings authorized by subsection (a) and (b) of this section are subject to the provisions of chapter 34.04 RCW pertaining to procedures in contested cases. Judicial review of such proceedings of the shorelines hearings board may be had as provided in chapter 34.04 RCW.

SECTION 17: SHORELINE AREA DESIGNATIONS

The Shoreline Areas as identified in this Master Plan shall be superimposed upon and modify the existing zoning classifications within the Shoreline Area. The regulations of this Master Plan are supplemental to regulations of the Zoning Ordinance, which are otherwise applicable to property in the existing zones, which shall continue to apply. In cases of irreconcilable conflict between the Master Program and the Zoning Ordinance, the provisions of the Master Program shall apply.

URBAN I

This designation is primarily for those areas which are heavily developed for industrial purposes and those which are appropriate for industrial purposes. The intent of the designation is to provide for efficient utilization of suitable shoreline areas for water dependent commerce and industry consistent with the Shoreline Management Act of 1971, as amended. (Corresponds to heavy manufacturing zones)

Uses include, but are not limited to:

1. Port facilities, and public and private tug and barge companies.
2. Ship construction or repair facilities.
3. Pulp and paper, lumber and plywood mills and other manufacturing facilities requiring water transport and waterous effluent or intake.
4. Fish processing plants.
5. Petroleum handling and processing plants requiring water transport.
6. Sand and gravel companies which require water transport.

URBAN II

This designation is primarily for those areas which contain a mixture of commercial, light manufacturing, and high density residential uses. It is the intent of this designation to maintain existing character of the area without substantially increasing bulk or scale of development, and to encourage location of water dependent or water related uses attractive to the public.

Uses include, but are not limited to:

1. Ferry terminals.
2. Urban parks and commercial recreation facilities.
3. Restaurants.
4. Resorts, convention centers, and hotels.
5. Marinas.
6. Shops and markets.

Urban II uses are permitted, where appropriate, in Urban I areas.

URBAN RESIDENTIAL

This designation is for areas which are primarily residential or intended for residential use. These areas are to maintain existing character and be consistent with residential zoning of the shoreline area in terms of open space, bulk, scale, and intensity of use. (Single family up to and including high density)

CONSERVANCY

This designation is for areas where biological and physical limitations and desired shoreline character are incompatible with intense development. Activities in these areas should have a minimal adverse impact upon the shoreline.

Uses include, but are not limited to:

1. Water dependent low intensity outdoor recreation.
2. Parks.
3. Water dependent scientific research.
4. Single family residences subject to regulations on setback, height limit, and lot coverage.

NATURAL

This designation is for areas identified as having natural benefits for the community and the region in excess of any foreseeable benefits derived from development. It is the intent of this designation to preserve or restore natural shoreline qualities of visual, biological, or geological significance. These areas are to remain relatively free of human alteration.

SECTION 18: Nonconforming Developments

All developments lawfully erected, installed and maintained in a lawful condition prior to the effective date of the Master Program and the developments in the process of being lawfully established prior to the effective date of the Master Program, and all developments which hold a valid Shoreline Management Substantial Development Permit approved prior to the effective date of the Master Program, but which do not conform to the regulations contained herein, shall be considered nonconforming developments.

Nonconforming developments may continue to exist or be completed according to the following provisions:

- a) Nonconforming developments may be enlarged, remodeled or renovated provided such alterations do not contribute to additional encroachment or infringement of the Master Program.
- b) Nonconforming developments which are destroyed beyond 50% of their value shall not be restored except in conformance to regulations contained in the Master Program.
- c) When a nonconforming development is enlarged, remodeled or renovated, it shall meet all applicable regulations of the Master Program except that which makes it nonconforming.

SECTION 19: Official Shoreline Area Designation Map

- a) There is hereby made a part of the Master Program a map which shall be officially known as the "Shoreline Area Designation Map" together with written description of the boundaries of the shoreline area designations.
- b) BOUNDARY DESCRIPTION

BURROW'S BAY

Southwest City Limits to east lot line lot 1, Skyline Division 13. URBAN RESIDENTIAL

From east lot line lot 1, Skyline Division 13 to southeastern boundary corner of Washington Park. URBAN II

WASHINGTON PARK AND SHANNON POINT

From southeastern boundary corner Washington Park to north corner of lot 1, section 29. NATURAL

From north corner of lot 1, section 29 to western boundary of Washington State Ferry Terminal, including associated wetlands of Cannery Pond (Shannon Lake). CONSERVANCY

GUEMES CHANNEL

From western boundary Washington State Ferry Terminal property to northern extended centerline Anacopper Road, including associated wetlands of Ship Harbor. URBAN II

From northern extended centerline Anacopper Road to northern extended centerline Illinois Avenue. URBAN RESIDENTIAL

From northern extended centerline of Illinois Avenue to northern extended centerline Avenue K. URBAN II

From northern extended centerline Avenue K to east boundary Avenue U. URBAN I

CAP SANTE

From east boundary Avenue U to easterly extended centerline 6th Street. URBAN RESIDENTIAL

From easterly extended centerline 6th Street to northeastern breakwater Cap Sante Boat Haven. CONSERVANCY

FIDALGO BAY

From northeastern breakwater Cap Sante Boat Haven to easterly extended centerline 13th Street. URBAN II

From easterly extended centerline 13th Street to easterly extended centerline 36th Street. URBAN I

From easterly extended centerline 36th Street to southeast City limits. URBAN II

CRANBERRY LAKE

All shorelines of Cranberry Lake. CONSERVANCY

ANACORTES

ROSARIO STRAIT

NATURAL

URBAN II

URBAN RESIDENTIAL

WETLAND AREA

CONSERVANCY

URBAN II

URBAN I

URBAN RESIDENTIAL

GUERRES CHANNEL

FIDALGO BAY

CONSERVANCY

PORT DOCK AREA

1834 FEET 0 1834 3868

SHORELINE AREA DESIGNATIONS MAP

SHORELINE AREA BOUNDARIES ARE EXAGGERATED FOR DISPLAY PURPOSES. JURISDICTION IS 200 FEET LANDWARD FROM SHORE.

REGULATION TABLE

AREA	LOT COVER- AGE (%) OF AREA	MAXIMUM HEIGHT	SETBACK
1) Burrows Bay (South City limits to Washington Park)			
A. Urban II	50%	35'	25'
B. Urban Residential	35%	35'	N/A
2) Washington Park/Shannon Point (Skyline to State Ferry Terminal)			
A. Conservancy	25%	25'	100'
B. Natural	P	P	P
3) Guemes Channel (State Ferry Terminal to East Side U Avenue)			
A. Urban I	100%	50'*	N/A
B. Urban II	70%	50'	N/A
4) Cap Sante (East Side U Avenue to N/E Breakwater Cap Sante Boat Haven)			
A. Urban II	70%	50'	N/A
B. Urban Residential	50%	50'	N/A
C. Conservancy	25%	25'	100'
5) Fidalgo Bay (N/E Breakwater Cap Sante Boat Haven to South City Limits)			
A. Urban I	100%	50'*	N/A
B. Urban II	70%	35'	N/A
6) Cranberry Lake			
Conservancy	25%	25'	100'

*In these areas requirements for structures in excess of 50 feet shall be considered by the Planning Commission on an individual basis.

N/A - Setback not applicable in these areas. Provisions of zoning ordinance apply.

P - Development prohibited in this area.

HEIGHT OF STRUCTURES*

No building or structure in the Shoreline Area (200 feet from OHWM) shall exceed the height limits indicated on the Regulation Table - Maximum Height, except:

- a) Cranes, gantries, mobile conveyors and similar equipment necessary for the functions of marinas, marine manufacturing, permitted commercial, industrial or port activities and servicing vehicles.
- b) Flagpoles or masts, transmission towers, chimneys, smokestacks, aerials or stairwells, when part of a water dependent use.
- c) Belfries, monuments, spires or steeples, transmission towers, provided such structures shall be designed to minimize obstruction of views.
- d) Penthouses for elevator and other mechanical equipment, and monitors when less than 5% of lot coverage and extending not more than 10 feet above roof level.
- e) When considering allowance of structures to exceed the height limitations the Planning Commission must consider:
 - i) view obstruction from both land and water.
 - ii) alternate siting outside shoreline areas.
 - iii) significance of alteration of existing skyline profile.

LOT COVERAGE

Buildings or structures in the Shoreline Area shall not occupy a greater percentage of a lot than indicated on Regulations Table, Lot Coverage (percent) of Area.

SETBACK

Building or structures in the Shoreline Area shall not be constructed within the setback area except for marinas or other shore dependent uses.

*Height to be determined by measuring from the average grade of the lot prior to development to the highest point of the structure not otherwise excepted from the height limits.

SECTION 20: USE-ACTIVITY POLICIES AND REGULATIONS

1) AGRICULTURAL PRACTICES: *The farming or raising of livestock or crops.*

POLICY

Vegetative buffers and setbacks shall be maintained between agricultural use areas and water bodies.

Regulations

- a) A vegetative buffer not less than twenty-five (25) feet in width shall be maintained between croplands, pasturelands and the shoreline.
- b) Livestock feed lots shall not be permitted within seventy-five (75) feet of the shoreline.
- c) Livestock wastes shall be handled in accordance with Guidelines For Handling Livestock Wastes For Western Washington, Washington State Department of Ecology.

2) AQUACULTURE: *The farming or culture of food fish, shell fish, or aquatic plants in fresh or salt water areas.*

POLICY

Aquaculture activity shall be compatible with adjacent water dependent uses and shall not interfere with marine navigation, nor be located or designed to have a detrimental influence on shoreline views.

Regulations

- a) Aquaculture developments shall be located and maintained so as not to interfere with established or possible future navigational lanes.
- b) Only those aquaculture facilities which are shore dependent shall be located on the shoreline.
- c) Aquaculture operations shall not generate nuisances or dispose of wastes which would degrade the shoreline or reduce water quality.

3) FOREST MANAGEMENT PRACTICES: *Any activity conducted on or directly pertaining to forest land and related growing, harvesting or processing of timber*

POLICIES

- a) Timber harvesting on shorelines of the City shall comply with WAC 90.58.150, and the Forest Practices Act.
- b) The first priority of forest management within shoreline areas shall be to maintain the natural forest setting and the visual integrity of the forested areas.

Regulations

- a) Timber harvesting within 200 feet of the ordinary high water mark shall be limited to that cutting necessary to maintain the forest; provided that other timber cutting methods may be permitted in those limited instances where topography, soil conditions or silviculture practices necessary for regeneration warrant such methods.
- b) Clearing of timber which is incidental to preparation of land for other uses authorized in this program may be permitted; provided that measures are taken to avoid degradation to the shoreline and water quality.

- 4) COMMERCIAL DEVELOPMENT: *Developments having a primary use for retail or wholesale trade or other business activities.*

POLICIES

- a) Commercial developments on shorelines of the City should be water dependent or provide an opportunity for a substantial number of patrons or the general public to enjoy the shoreline.
- b) Commercial development should be encouraged to locate near existing commercial sites or abandoned industrial or manufacturing sites.

Regulations

- a) Business or commercial uses constructed over water are to be shoreline dependent or provide for regulated public access.
- b) Warehousing is permitted on shorelines only as an accessory use directly serving a water-dependent use.

- 5) MARINAS: *Commercial facilities which provide boat launching, storage, supplies and services for small commercial and pleasure craft.*

POLICIES

- a) Marinas are to be designed to minimize adverse impacts to water quality, and to be aesthetically compatible with the shoreline area.
- b) Viewpoints and public access to marina areas are encouraged in marina plan and design.
- c) Marinas must be designed in accordance with guidelines prepared by the Washington State Department of Fisheries and other agencies having jurisdiction over such development.

Regulations

- a) Marina development shall comply with "Criteria Governing the Design of Bulkheads, Landfills, and Marinas in Puget Sound, Hood Canal, and Strait of Juan De Fuca for Protection of Fish and Shellfish Resources," State of Washington, Department of Fisheries, February 5, 1971.
 - b) Placement of breakwaters, jetties, groins, bulkheads, landfills, and dredging activities associated with marina construction shall comply with regulations contained in this Master Plan pertaining to those activities.
 - c) Marinas and boat launch ramps shall provide parking facilities adequate to meet demand/need analysis projections.
 - d) Covered moorages are permitted when views from water or upland areas will not be substantially affected, and when design and construction meets City standards.
 - e) Height limit for covered moorage is twenty-five feet above mean higher high water.
- 6) MINING: *Removal of naturally occurring mineral or other materials for economic use.*

POLICIES

- a) Mining activity in shoreline areas shall follow procedures which provide protection against sediment and silt production, and shall conform to the Washington State Surface Mining Act.

- b) Removal of sand and gravel from marine beaches shall be strictly controlled, and prohibited in physically or biologically sensitive areas.

Regulations

- a) No mining shall occur immediately adjacent to any water body or in any location which would have an adverse affect on water quality.
- b) Stockpiling of mining spoils, disposal of washings and construction of water holding basins for mining purposes shall not be permitted within the shoreline area.
- c) A proposal for reclamation of mined areas, in accordance with State of Washington Board of Natural Resources regulations, must be approved prior to issuance of Shoreline Substantial Development Permit.

- 7) OUTDOOR ADVERTISING SIGNS AND BILLBOARDS: *Publicly displayed boards or devices for providing information, direction or advertising.*

POLICY

Signs shall not be placed where they will detract from shoreline views, nor will they be of a design and size which would degrade the shoreline character as defined in the Area Designations.

Regulations

- a) Billboards are prohibited within shoreline areas of the City and at upland locations which would obstruct existing visual access to the shorelines.
- b) Signs identifying shoreline uses shall not extend above the roofline of adjacent buildings.
- c) Free-standing signs are permitted provided they are no larger than thirty-two square feet in area on any one face.

- 8) RESIDENTIAL DEVELOPMENT: *Buildings, earth modifications, subdivision and use of land primarily for human residence.*

POLICIES

- a) Planned unit residential developments which provide incentives for additional open space design are encouraged.
- b) Over-water construction, or construction which obstructs existing shoreline view, is discouraged.
- c) Subdivisions and high density residential developments are to be planned and designed to avoid problems of storm and sanitary sewage disposal, and be compatible with existing or desired shoreline character.

Regulations

- a) New construction or expansion of existing piers, bulkheads or fills to provide for overwater residential development is prohibited.
- b) Residential structures in shoreline areas which exceed thirty-five feet in height shall be reviewed by the City for possible impacts to views and shoreline character.
- c) Single family subdivisions and multifamily residences on waterfront property shall provide for regulated public access to the water or to view sites.

- 9) UTILITIES: *Facilities for generating, distributing, processing or storing water, sewage, electricity, gas and other energy sources.*

POLICY

Placement of utilities in shoreline areas shall be planned and designed to avoid degradation of the shorelines and shoreline views during and after installation.

Regulations

- a) When feasible, utilities within the shoreline area should be placed underground, and utility corridors should be used for shoreline access.
- b) Undergrounding of utilities across a water body must gain approval of the State of Washington Departments of Fisheries and Game.

- 10) SOLID WASTE: *All putrescible and non-putrescible solid and semi-solid waste.*

POLICY

Waste disposal shall conform to Washington State Department of Ecology regulations relating to solid waste handling.

Regulation

Solid waste disposal sites are prohibited on shorelines.

- 11) PORTS AND WATER RELATED INDUSTRY: *Public or private facilities for transfer of cargo or passengers from water-borne craft to land and vice-versa; and facilities for processing manufacturing and storage of goods.*

POLICIES

- a) Water-dependent industrial or port uses should be given priority for frontage on navigable waters over other industrial uses.
- b) Public access opportunities are encouraged at port and industrial sites, if such access would not interfere with operations or endanger public health and safety.
- c) Cooperative and complementary port and industrial activities are encouraged to locate in common areas.
- d) Shoreline industrial areas presently served with City utilities and transportation networks and zoned industrial should be considered for use before establishing additional industrial shoreline areas.

Regulations

- a) Existing port or industrial development on shorelines which is neither shore nor water dependent or related shall be permitted to expand inland from, but not along the shoreline.
- b) Plans for industrial developments shall provide for screening and buffer areas.
- c) The Port of Anacortes and City shall coordinate the cooperative and multiple use of piers, docks, and parking facilities.

- 12) SHORE DEFENSE WORKS: *Structures or modifications normally used on marine shores for diverting wave erosion and protecting harbors. (Bulkheads, Breakwaters, Groins and Jetties).*

POLICIES

- a) Construction of shore defense works shall not be allowed until effects to adjacent shores has been reviewed and determined.
- b) Floating or open breakwaters which do not impede flow of marine life are preferred over solid breakwaters.
- c) Shore defense works should be designed to have minimal degradation of views, and avoid adverse effects on fisheries resources.
- d) Shore defense works which would decrease publicly owned lands should not be allowed.

Regulations

- a) Prior to granting a permit for Shore Defense Works (bulkheads, breakwaters, groins and Jetties) the effect of such development on adjacent properties shall be determined and the decision of the City shall reflect such determination. Applications for such development must be accompanied by information showing configuration of the shoreline and consistency of bank materials for properties within 300 feet in both directions from the proposal.
- b) Shore Defense Works shall comply with "Criteria Governing the Design of Bulkheads, Landfills, and Marinas in Puget Sound, Hood Canal, and Strait of Juan De Fuca, for Protection of Fish and Shellfish Resources," State of Washington, Department of Fisheries, February 5, 1971.

- 13) LANDFILL: *The creation of upland area or the elevating of existing upland by deposition of soil, dredge spoil, or other solid material onto land or into shallow water bodies.*

POLICIES

- a) Landfills which reduce the area of marine surface waters should be permitted for water dependent uses only.
- b) Fill materials are not to contain pollutants which could cause an adverse impact upon water quality.

- c) Landfills should be landscaped to maintain or improve existing views and prevent erosion where feasible.

Regulations

- a) Landfills shall comply with "Criteria for Governing the Design of Bulkheads, Landfills, and Marinas in Puget Sound, Hood Canal, and Strait of Juan De Fuca, for Protection of Fish and Shellfish Resources," State of Washington, Department of Fisheries, February 5, 1971.

- 14) DREDGING: *Removal, displacement, and disposal of material from the bottom of water bodies, or natural wetlands.*

POLICIES

- a) Dredging shall be done in such a manner as to minimize adverse impacts on marine life and habitat.
- b) Polluted spoils should be deposited at upland sites and measures taken to contain runoff from the sites.

Regulations

- a) Dredging for the purpose of obtaining fill or construction material is prohibited except where the applicant can show that:
 - 1) the existing benthos is sterile or largely degraded and shows no sign of regeneration, and
 - 2) impacts upon water quality and aquatic life are mitigable.
- b) Dredge spoil shall be deposited in an approved submerged site only if the spoils meet EPA criteria for deposit in navigable waters.
- c) Dredging shall be scheduled so as not to interfere with migratory movements of anadromous fish.

15) ROAD AND RAILWAY DESIGN AND CONSTRUCTION

POLICIES

- a) Road and railway development should be located as far inland from the land/water interface as feasible and should not interfere with other appropriate shoreline uses, or degrade shoreline areas.
- b) Design of roadways on shorelines should take advantage of scenic vistas and provide for viewpoints and rest and picnic sites in public areas.

Regulations

- a) New railroad and road developments, to the extent consistent with public safety, may be required to provide public access opportunities, and to maintain existing pedestrian access to shorelines.
- b) Road and railroad development shall be coordinated with the various governing bodies, and where possible, development shall be designed to accommodate varied modes of transportation.

16) PIERS AND DOCKS: *Any platform structures or anchored devices located in or floating on water bodies.*

POLICIES

- a) Use of floating docks or open pile piers is preferred over solid structures in order to minimize obstruction to currents and circulation of marine life.
- b) The cooperative use of piers and docks shall be encouraged.
- c) Piers and docks shall not be constructed so as to obstruct navigable waters or to significantly reduce public use of the water surface.

Regulations

- a) Prior to granting a permit for a pier, dock or float, the effects of the structure upon adjacent shoreline shall be determined, and disposition of the permit by the City shall reflect such determination.
- b) Piers and docks may be restricted in areas of substantial littoral drift or significant historic/scenic values. In these areas open piling or floating structures may be required.

- 17) ARCHEOLOGICAL AREAS AND HISTORIC SITES: *Includes sites, structures or developments which provide knowledge about our cultural heritage.*

POLICIES

- a) An inventory of historical and archeological sites shall be prepared and referred to when reviewing plans for development in shoreline areas.
- b) If in the course of construction on shorelines, possible archeological data is uncovered, the contractor should notify the City of the find.

Regulations

- a) Archeological and historic site development is permitted as a conditional use subject to relative shoreline regulations.
- b) Such developments which are intended for commercial purposes shall comply with policies and regulations for Commercial Development.

- 18) RECREATION: *Re-creation and refreshment of body and mind through forms of play, sports, relaxation, amusement or contemplation.*

POLICIES

- a) Public recreation facilities should be planned and designed to augment and enhance private recreation facilities and vice-versa.
- b) Unique shoreline recreational areas and vistas shall be preserved for future generations.
- c) Recreational planning and development should recognize the wide variety of needs generated by the diverse local and regional population.

Regulations

- a) Commercial recreational developments shall conform to relative regulations contained in this Master Plan.
- b) Recreational development shall not unduly burden or create conflicts with adjacent shoreline uses.
- c) Recreational developments, public and private, shall be located, constructed, and operated so as not to be a hazard to public health and safety nor should they materially interfere with normal public use of the water and shorelines.

GENERAL REGULATIONS FOR SHORELINE AREAS

- 1) All soils disturbed by use activities, and which are potentially erodable or unstable shall be stabilized through seeding, mulching, terracing or other effective means.
- 2) Development on unique or fragile shoreline areas shall be avoided unless it can be shown in the proposal that development will not degrade the shoreline or that the development will enhance public use of shoreline resources.
- 3) Shorelines are to be kept free of discarded waste materials.
- 4) Street rights-of-way or utility easements which offer physical or visual access to the shorelines or water body shall be preserved.

SECTION 21: Violation and Penalty

- a) Any permit may be rescinded by the City upon the finding that a permittee has not complied with conditions of a permit.
- b) The State Attorney General or the City Attorney for the City of Anacortes shall bring such injunctive, declaratory, or other actions as are necessary to ensure that no uses are made of the shorelines in conflict with the provisions and programs of the Shoreline Management Act and Master Program, and to otherwise enforce the provisions of the Act and Master Program.
- c) In addition to incurring civil liability under Subsection (b) of this section, any person found to have willfully engaged in activities on the shorelines in violation of the provisions of the Shoreline Management Act or Master Program shall be guilty of a gross misdemeanor, and shall be punished by a fine of not less than twenty-five nor more than one thousand dollars or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment: PROVIDED, that the fine for the third and all subsequent violations in any five-year period shall be not less than five hundred nor more than ten thousand dollars.
- d) Any person subject to the regulatory program of the Shoreline Management Act or Master Program who violates any provision of the Act or Master Program or permit issued pursuant thereto shall be liable for all damage to public or private property arising from such violation, including the cost of restoring the affected area to its condition prior to violation. The State Attorney General or City Attorney shall bring suit for damages under this section on behalf of the State or City. Private persons shall have the right to bring suit for damages under this section on their own behalf and on the behalf of all persons similarly situated. If liability has been established for the cost of restoring an area affected by a violation the court shall make provision to assure that restoration will be accomplished within a reasonable time at the expense of the violator. In addition to such relief, including money damages, the court in its discretion may award attorney's fees and costs of the suit to the prevailing party.

SECTION 22: Amendments and Changes of Environment Designations

- a) The City Council may, upon its own motion and after review and recommendation of the Planning Commission, amend, supplement, change or repeal by ordinance any of the provisions, Shoreline Area Designation boundaries or Shoreline Area classifications herein established.
- b) An amendment or change in Shoreline Area Designation may be initiated by the Planning Commission upon its own motion, or by any person upon proper petition, or by the motion of the City Council whose action shall be referred to the Planning Commission for recommendation.
- c) The Planning Commission shall hold at least one public hearing on any proposed amendment or change in Shoreline Area Designation prior to taking action on the matter. The hearing shall be held not less than ten (10) days nor more than thirty (30) days following the filing of the petition on the receipt of the City Council motion initiating the action.

The Environmental Officer, or authorized representative, shall make an investigation and a written recommendation on each proposed amendment or change in Shoreline Area Designation to the Commission. Such recommendation shall become part of the official record.

The Planning Commission shall make its findings, decision and recommendation on each proposed amendment or change in Shoreline Area Designation within thirty (30) days following the termination of the public hearing. In the event the Planning Commission does not reply within the specified time limit, it shall be deemed that the Planning Commission has approved the proposed amendment or change in Shoreline Area Designation. The decision of the Planning Commission shall be transmitted to the City Council within ten (10) days following the date of such action.

- d) After holding a public hearing to consider the findings and recommendations of the Planning Commission, the City Council shall have the authority to confirm, alter or modify any of the Planning Commission's recommendations or decisions.
- e) All amendments or changes in Shoreline Area Designations must be submitted to the Department of Ecology for approval of disapproval.

APPENDIX A

USE-ACTIVITY REGULATIONS

LEGEND X - PROHIBITED

A - PERMITTED WHEN MEETING REQUIREMENTS FOR THAT USE AND SHORELINE AREA

C - CONDITIONAL USE WHEN APPROVED BY THE CITY AND DEPARTMENT OF ECOLOGY

ALL USES ARE SUBJECT TO UNDERLYING ZONING.

SHORELINE AREA DESIGNATIONS

USE AND ACTIVITIES	NATURAL	CONSERVANCY	URBAN RESIDENTIAL	URBAN II	URBAN I
AGRICULTURE	X	A	A	X	X
AQUACULTURE	X	C	A	A	A
FOREST PRACTICES	X	C	C	C	C
COMMERCIAL DEVELOPMENT	X	X	X	A	A
MARINAS	X	X	X	A	A
MINING	X	X	C	C	C
OUTDOOR ADVERTISING AND SIGNS	X	A	A	A	A
RESIDENTIAL DEVELOPMENT	X	A	A	A	A
SOLID WASTE	X	X	X	X	X
UTILITIES	X	A	A	A	A
PORTS AND INDUSTRY	X	X	X	C	A
SHORE DEFENSE WORKS	X	C	A	A	A
LANDFILL	X	C	C	C	C
DREDGING	X	C	C	C	C
ROAD AND RAILROAD	X	C	A	A	A
PIERS AND DOCKS	X	A	A	A	A
ARCHEOLOGICAL/ HISTORIC SITES	C	A	A	A	A
RECREATION	X	A	A	A	A

APPENDIX B

GENERAL INVENTORY OF NATURAL CHARACTERISTICS ANACORTES SHORELINE AREAS

Burrows Bay (South city limits to Washington Park)

The majority of the shoreline along the Burrows Bay area has been modified by rip-rap, bulkheads and fill for residential development. Backshore vegetation is sparse and consists of grasses, weeds and brambles. The backshore has a low (0-10%) to moderate (11-20%) slope, except for the southern boundary where the slope steepens to over 20%.

Some of the dominant species of vegetation found along this section of shoreline are:

Grasses

Fescue (*Festuca* sp.)
Brome (*Bromus* sp.)
Pant (*Agrostis* sp.)
Timothy (*Phlium* sp.)
Foxtail (*Setaria* sp.)

Weeds

Sedges (*Carex* sp.)
Onion (*Allium* sp.)
Horsetail (*Equisetum* sp.)
Nettles (*Urtica* sp.)
Clover (*Trifolium* sp.)
Morningglory (*Convolvulus* sp.)
Foxglove (*Digitalis* sp.)
Yarrow (*Aster* sp.)
Thistle (*Cirsium* sp.)
Goldenrod (*Solidago* sp.)

Brambles

Blackberry (*Rubus* sp.)

Rip-rap, bulkheads and fill create a biologically stressed zone for marine organisms. Specie diversity is low and populations within a specie are at a comparatively reduced level. Organisms to be found along bulkheaded or rip-rap areas include small snails, limpets, and barnacles which are able to holdfast to a rock-modified shoreline. The subtidal zone and fill areas are inhabited by a variety of burrowing and bottom-dwelling organisms.

Washington Park (Skyline to east side of Sunset Beach)

This section of largely unmodified shoreline is dominated by outcrops of wave-eroded parent rock material with a slope so steep that there is no intertidal beach. Kelp, such as *Fucus* sp. and *Macrocystis* sp. are found in the subtidal zone. Exposed rock is inhabited by mussels, barnacles, limpets, snails, and seastars. The wind swept backshore is sparsely covered with vegetation along Rosario Strait, but large conifers dominate the landscape as one proceeds northerly to Shannon Point.

Shannon Point (East side Sunset Beach to State Ferry Terminal)

Rip-rap for railroad bed occurs along approximately 50% of this stretch of shoreline. Where rip-rap does not occur the intertidal zone consists of sand and cobble beach. Lower areas of this intertidal zone support green and attached algae: *Monostromum* sp., *Fucus* sp., *Porfira* sp., and many others. A diversity of invertebrates inhabit the intertidal zone: worms, anthropods, and mollusks.

Worms

Proboscis worm (*Glycera rugosa*)
Polychaetes (*Nereis* sp. and others)

Anthropods

Acorn barnacle (*Balanus glandula*)
Isopods (*Idothea* sp. and *Exosphaeroma* sp.)
Hermit crabs (*Pagurus* sp.)
Spider crabs (*Mimulus foliatus*)
Dungeness crabs (*Cancer magister*)
Red rock crab (*Cancer productus*)

Mollusks

Blue mussels (*Mytilus edulis*)
Cockles (*Cardium corbis*)
Giant Macoma (*Macoma*)
Soft shelled clam (*Mya arenaria*)
Butter clam (*Saxadomus giganteus*)
Steamer clam (*Prototheca staminea*)
Purple snails (*Thais* sp.)
Green sea wichin (*Stronglocentrotus drobachiensis*)

The backshore is moderate to steeply sloping. Vegetation has developed into a subclimax stage in which few broadleaf species exist. The dominant canopy species are:

Douglas-fir (*Pseudotsuga menziesii*)
Western hemlock (*Tsuga heterophylla*)
Western red cedar (*Thuja plicata*)

Associated with the backshore at Shannon Point is Cannery Pond, formed by springs and drainage from the surrounding hillsides. Cannery Pond is an undeveloped body of water and is used for biological studies by students at Shannon Point Marine Center. Cannery Pond is in a latter stage of eutrophication (the process of aging in freshwater lakes) and, as such, is rich in submerged plants, floating plants and emerged plants. Many birds, amphibians, and a few mammals and fish can be found in association with the pond.

Guemes Channel (State Ferry Terminal to East Side Wyman's Marina)

Fish canneries once occupied the wetlands of Ship's Harbor, an area east of the ferry terminal. Piling and fill compete with tide and runoff for dominance of this shoreline. The backshore is relatively flat and is dominated by sedges, rushes and saltgrass.

Further northeast the shoreline steepens and is rip-rapped for the now abandoned railroad track. Between Ship's Harbor and Tony Lovric's wooden schooner "La Merced" the steep-banked backshore is covered with mixed broadleaf and needleleaf forest. Intertidally, the marine life is similar to the Burrows Bay modified shoreline area.

Cap Sante Point (East side of Wyman's Marina to Cap Sante Boat Haven)

This area of shoreline is dominated by a steep shoreline of exposed rock. Marine intertidal organisms are similar to those found with the exposed rock outcrop along Rosario Strait. In this case, however, the backshore is dominated by mixed broadleaf and needleleaf forest.

Fidalgo Bay (East side Cap Sante Boat Haven to South City Limits)

This stretch of shoreline has been extensively man-modified. Breakwaters, fill, bulkheads and rip-rap dominate the shoreline. Intertidal species diversity is low and animal populations are small. Backshore vegetation is grasses, weeds and brambles.

Cranberry Lake

Cranberry Lake, once a water reservoir for the City of Anacortes, is undeveloped except for a concrete retaining wall at the northern end. Access is provided by an unimproved dirt road.

Vegetation in the lake is typical of most freshwater lakes and ponds:

Submerged plants

Pondweed (*Potamogeton* sp.)
Hornwort (*Aratophyllum* sp.)
Bladderwort (*Utricularia* sp.)
Waterweed (*Anacharis* sp.)

Floating Plants

Duckweed (*Lemna minor* and *L. trisulca*)
Greater duckweed (*Spirodela* sp.)
Water lily (*Nymphaea* sp.)

Emerged plants

Sedges (*Carex* sp.)
Horsetail (*Equisetum* sp.)
Arrowhead (*Sagittaria* sp.)
Cattails (*Typha* sp.)
Water plantain (*Alisma* sp.)

Backshore vegetation is mixed broadleaf and needleleaf forest.

In addition to these waters covered by the shoreline management act there is, along Anacopper Road (to airport) a freshwater pond which is bisected by the road bed. This pond is not of sufficient size to be included in the Master Program, nor does it qualify as associated wetland. The pond is unique in the area because of the relative lack of such water bodies in the Anacortes area. No studies of the pond have been done, nor has any data been gathered on the pond for this Master Program. It is recommended the pond be considered for its biological importance, and for possible use as a study area for local schools.

APPENDIX C

DEFINITIONS

- ACT - *The Shoreline Management Act of 1971.*
- AQUACULTURE - *The culture of farming of food fish, shellfish, or other aquatic plants and animals.*
- BREAKWATER - *A structure, either rigid or floating, constructed offshore to protect beaches, bluffs, dunes or harbor areas from wave action.*
- BULKHEAD - *Structures or riprapping erected parallel to and near the high-water mark for the purpose of protecting adjacent uplands from the action of waves or currents.*
- COUNCIL - *Means the City Council of the City of Anacortes.*
- DEPARTMENT - *Means the Washington State Department of Ecology.*
- DEVELOPMENT - *A use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the waters overlying lands subject to this Master Program at any state of water level.*
- DIKE - *An embankment usually placed within or near the edge of a flood plain to protect adjacent lowlands from flooding.*
- ESTUARY - *That portion of a coastal stream influenced by the tide of the Marine Waters into which it flows and within which the sea water is measurably diluted with freshwater derived from land drainage.*
- EXTREME LOW TIDE - *Means the lowest line on the land reached by a receding tide.*
- FEASIBLE - *Physically capable of being accomplished or brought about.*
- GROIN - *A barrier-type structure extending from the backshore seaward across the beach.*
- HEARINGS BOARD - *The Shorelines Hearings Board established by the Shoreline Management Act of 1971.*
- JETTY - *A barrier-type structure generally employed at inlets to control sand movements for the purpose of navigation improvement.*
- LANDFILL - *The creation of dry upland areas by the filling or depositing of sand, soil or gravel into a waterbody of wetland area.*

MASTER PROGRAM - *The City of Anacortes Shoreline Management Master Program.*

NORMAL MAINTENANCE & REPAIR - *Construction necessary for the upkeep of existing structure and development which will not result in enlargement of the structure of development.*

ORDINARY HIGH-WATER MARK - *On all lakes, streams, and tidal water is that mark which will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of abutting upland, in respect to vegetation as that condition exists on June 1, 1971, or as it may naturally change thereafter: PROVIDED, that in any area where the ordinary high-water mark cannot be found, the ordinary high-water mark adjoining saltwater shall be the line of mean higher high tide and the ordinary high-water mark adjoining freshwater shall be the line of mean high water.*

PLANNING COMMISSION - *Means the City of Anacortes Planning Commission.*

PERMIT - *A Shorelines Management Substantial Development Permit.*

PERSON - *An individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of the state or local governmental unit however designated.*

RIPRAP - *A loose assemblage of broken rock erected in or near water for protection from wave and current action or for foundation; the broken rock used for this.*

SHORELINES - *Means all of the water areas within the incorporated area of Anacortes, including natural reservoirs, and their associated wetlands together with the lands underlying them except (a) shorelines of state-wide significance; (b) shorelines on segments of streams upstream of a point where the mean annual flow is twenty cubic feet per second or less and the wetlands associated with such upstream segments; and (c) shorelines on lakes less than twenty acres in size and wetlands associated with such small lakes.*

SHORELINES OF STATE-WIDE SIGNIFICANCE - *Those shorelines designated as such by the Shoreline Management Act of 1971 including those lakes, whether natural, artificial or a combination thereof, with a surface acreage of one thousand acres or more measured at the ordinary high water mark and those natural rivers, or segments thereof, west of the crest of the Cascade Range downstream of a*

point where the mean annual flow is measured at one thousand cubic feet per second or more.

STATEMENT OF EXEMPTION - A written statement by the office of Planning and Development stating that a proposed development is exempt from the permit requirements of the Master Program.

STRUCTURE - That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

SUBSTANTIAL DEVELOPMENT - Any development of which the total cost or fair market value exceeds one thousand dollars, or any development which materially interferes with the normal public use of the water or shorelines, except that the following shall not be considered substantial developments for the purpose of the Master Program.

- 1) Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements;
- 2) Construction of the normal protective bulk-head common to single family residences;
- 3) Emergency construction necessary to protect property from damage by the elements;
- 4) Construction of a barn or similar agricultural structure on wetlands;
- 5) Construction or modification of navigational aids such as channel markers and anchor buoys;
- 6) Construction on wetlands by an owner, lessee or contract purchaser of a single family residence for his own use or for the use of his family, which residence does not exceed a height of thirty-five feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof;
- 7) Construction of a dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee or contract purchaser of a single family residence, the cost of which does not exceed two thousand five hundred dollars;

- 8) Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored ground water from the irrigation of lands;
- 9) The marking of property lines or corners on state owned lands, when such marking does not significantly interfere with normal public use of the surface of the water;
- 10) Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing on the effective date of the 1975 amendatory act which were created, developed or utilized primarily as a part of an agricultural drainage or diking system;
- 11) Any project with a certification from the governor pursuant to chapter 80.50 RCW;
- 12) No permit shall be required under chapter 90.58 RCW for the construction of up to 500 feet of one and only one road or segment of a road, provided such road does not enter the shoreline more than once. Such exemption from said permit requirements shall be limited to a single road or road segment for each forest practice and such road construction shall be subject to the requirements of chapter 76.09 RCW and regulations adopted pursuant thereto and to the prohibitions or restrictions of any master program in effect under the provisions of 90.58 RCW. Nothing in this subsection shall add to or diminish the authority of the shoreline management act regarding road construction except as specifically provided herein. The provisions of this subsection shall not relate to any road which crosses over or through a stream, lake, or other water body subject to chapter 90.58 RCW.

WETLANDS OR WETLAND AREAS - *Those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high-water mark; and all marshes, bogs, swamps, floodways, river deltas and flood plains associated with the streams, lakes and tidal waters which are subject to the provisions of chapter 90.58 RCW. "Associated wetland" means those wetlands which are strongly influenced by and in close proximity to any stream, river, lake, or tidal water, or combination thereof, subject to chapter 90.58 RCW.*

FIRST CLASS TIDELANDS - *Beds and shores of navigable tidal waters between the line of ordinary high water and the line of navigability and within or fronting on the corporate limits of any City or within two miles thereof upon either side.*

APPENDIX D

PUBLIC PARTICIPATION

CITIZEN'S ADVISORY COMMITTEE

Public Meetings:	Oct. 9	7:30PM	City Hall
	Oct. 16	7:30PM	City Hall
	Oct. 21	10:00AM	Harbor House
	Oct. 30	7:30PM	City Hall
	Nov. 6	7:30PM	City Hall
	Nov. 13	7:30PM	City Hall
	Nov. 20	7:30PM	City Hall
Joint Council/Plan- ning Commission Meeting:	Dec. 8	7:30PM	City Hall
City Council Hearing and Meeting	Dec. 22	7:30PM	City Hall

Subcommittee meetings of the: Conservation, Business and Industry, and Recreation Committees were held on a weekly basis from the last week of October through November. (Copies of notes and minutes of the Committee and Subcommittee meetings are available at City Hall.)

In addition to these meetings, letters requesting comments and suggestions on the Anacortes Shoreline Management Program were sent to state and local organizations and individuals. Responses from this request for information are available at City Hall.

APPENDIX E

SPECIAL RECOMMENDATIONS

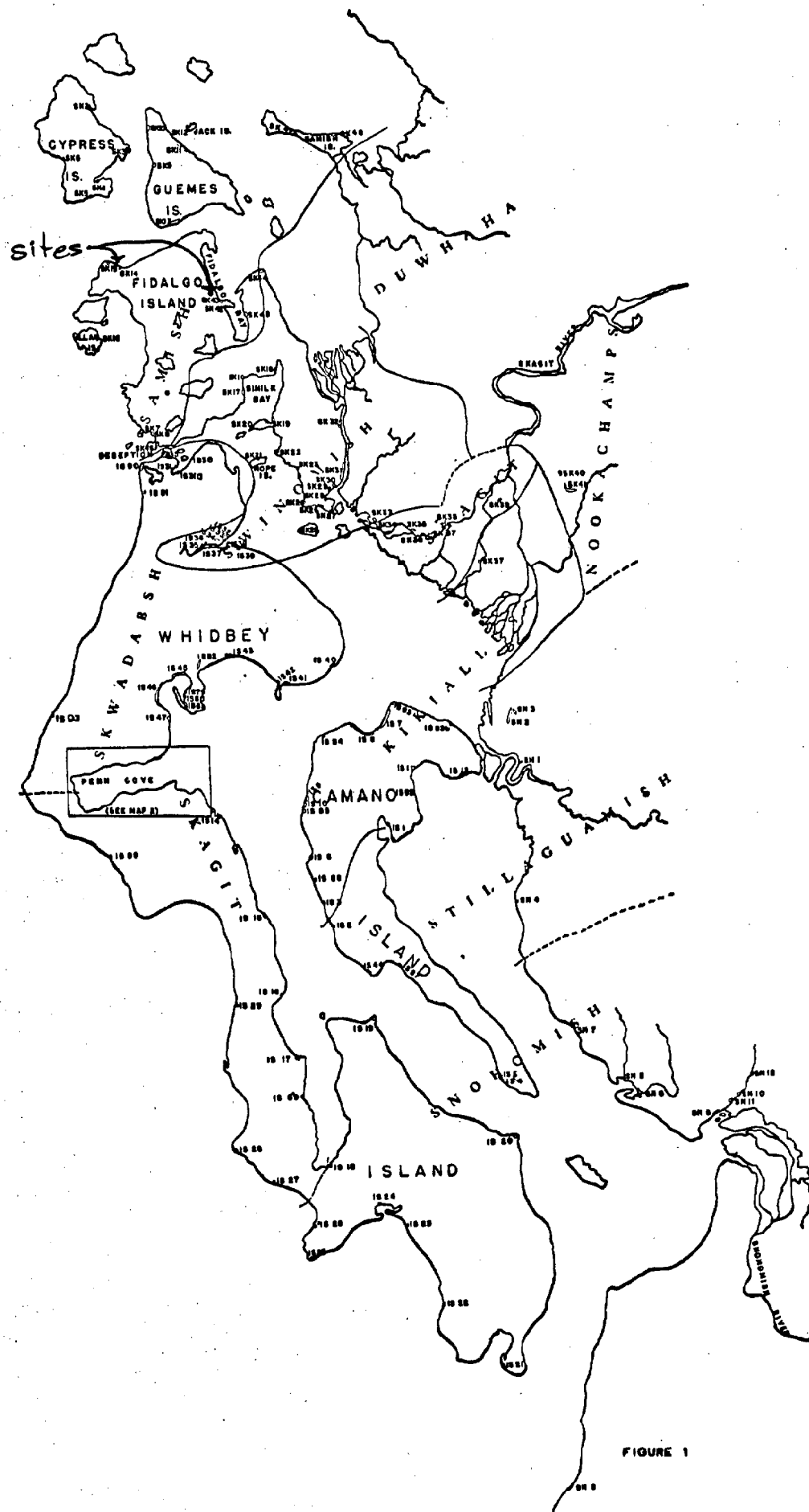
HISTORICAL/ARCHEOLOGICAL SITES

The Conservation Sub-Committee recommended recognition of several historic and archeological sites by amendment to the City's Comprehensive Plan. Historic sites considered worthy of protection and possibly restoration are:

1. The Curtis Warf area which is the oldest building on the waterfront.
2. The planing shed at Skyline.
3. The smoke stack near the Hatchcover.

Potential archeological sites are located at Shannon Point, Ship Harbor, and on Weaverling Spit: (See illustrations, Figure 1, "An Archeological Survey of Northern Puget Sound," Allan Lyle Bryan, 1963.)

These historic and archeological sites are not inclusive, and it is recommended that the City identify other appropriate historic sites and structures both within and outside the shoreline area and establish procedures which would encourage conservation and restoration of these sites.



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